

REMARKS

The Examiner cited the US 6,276,300 ('300) reference in the last Office Action under 35 USC §102 for anticipating the pending claims. The claims as presented above are believed now to be a condition for allowance for the reasons stated below.

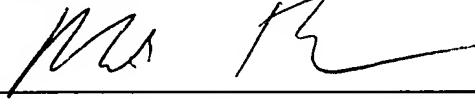
The '300 reference discloses a method of extruding the litter composition. An extrusion process has a propensity for creating the pellets that are shown in the figures that essentially have sharp end portions due to the extrusion process, where presumably the pellets are broken off into the separate pieces. The Examiner noted that in column 3, lines 61-62 of '200 the pellets may be oval or oblong; however, it is believed that this describes the die for an extrusion process where the extrusion process only allows for breaking the discrete pieces. It is the experience of the inventor that having sharp edges in the granular substance is not comfortable to large animals such as dogs. However, a non-constant cross-sectional area that is substantially rounded and lacks angular ends does not have sharp extrusions that have increased pressure points upon the paw of a dog. Of course, with a litter compound such as common cat litter where the particulate size is substantially smaller, the sharp angular edges are present; however, the small size of the particulate matter allows for a high number of such edges which effectively increases the net surface area engaging the paw of the animal. Because we are essentially referring to pressure upon the paw at localized points and reducing such pressure, having fewer engagement regions by the nature of having larger pieces, there is an opportunity for higher pressure points upon the paw of animal such as the teachings of the '300 disclosure.

Therefore, the workable product with a non-constant cross-sectional area such as that as found in an extruded product and being substantially rounded and lacking angular ends is not taught in the prior art and has the unexpected result of being more acceptable to large animals such as dogs.

If there is any matter which could be expedited by consultation with the Applicant's attorney, such would be welcome. The Applicant's undersigned attorney can normally be reached at the telephone number set forth below.

Signed at Bellingham, County of Whatcom, State of Washington this February 07, 2005.

Respectfully submitted,
DOUG ELLIS,

By 

Michael Hughes, Reg. No. 41,084
Hughes Law Firm, PLLC
Pacific Meridian Plaza
4164 Meridian Street, Suite 302
Bellingham, WA 98226
(360) 647-1296
Fax (360) 671-2489